

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

DAVID VANN, *by guardian of his person
and property Diana Vann*,

Plaintiff,

-vs-

NOTICE OF APPEAL

Civil Action 6:18-CV-06464

THE CITY OF ROCHESTER, *a municipal
Entity, et al.*,

Defendants.

Notice is hereby given that the City of Rochester and individual Defendants (Steven Mitchell and Matthew Drake), in the above named action, hereby appeal to the United States Court of Appeals for the Second Circuit, the Decision and Order of United States District Court Judge Elizabeth A. Wolford granting Plaintiff's partial summary judgment against Defendants Mitchell and Drake, in part, denying the defense of qualified immunity, final judgment entered on August 28, 2024; and denying the Defendants FRCP Rule 59 (e) motion, final judgment entered on November 4, 2024.

DATED: December 3, 2024

PATRICK BEATH, Corporation Counsel

BY: s/John M. Campolieto

John M. Campolieto, Esq., of Counsel
Attorneys for Defendants
30 Church Street, Room 400A City Hall
Rochester, New York 14614
Telephone: (585) 428-7410

To: Elliot Dolby Shields
ROTH & ROTH, LLP
Attorneys for Plaintiff
192 Lexington Avenue
Suite 802
New York, NY 10016